

Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER P26669
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/524,420	
INTERNATIONAL APPLICATION NO. PCT/JP03/10440	INTERNATIONAL FILING DATE August 19, 2003	PRIORITY DATE CLAIMED August 20, 2002	
TITLE OF INVENTION SOFT CAPSULE PREPARATION			
APPLICANT(S) FOR DO/EO/US Reiko KAWAMURA and Yuya EGAWA			

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

- ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
- ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (23) indicated below.
- ☐ The US has been elected (PCT Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - ☐ is attached hereto (required only if not communicated by the International Bureau).
 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☐ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154 (d) (4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
"EXECUTED"
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 22 below concern other document(s) or information included:

- Assignee: Nikken Chemicals Co., Ltd. of Tokyo, Japan and LEBER Co., Ltd. of Tokyo, Japan
- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
- ☐ An Application Data Sheet under 37 C.F.R. 1.76.
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ Figure of Drawing to be published:
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154 (d) (4).
- ☐ A second copy of the English language translation of the international of the international application under 35 U.S.C. 154 (d) (4).
- ☒ Other items or information:
Cover Letter
Form PCT/DO/EO/905

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/524,420		INTERNATIONAL APPLICATION NO. PCT/JP03/10440		ATTORNEY'S DOCKET NUMBER P26669	
23 <input type="checkbox"/> The following fees are submitted: Basic national fee.....300.00				CALCULATIONS	PTO USE ONLY
				\$ 0.00	
24 <input type="checkbox"/> Examination Fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33 (1)-(4).....100.00 All other situations.....200.00				\$ 0.00	
25 <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a) (2)) has been paid on the international application to the USPTO as an International Searching Authority.....100.00 International Search Report prepared and provided to the Office.....400.00 All other situations.....500.00				\$ 0.00	
TOTAL 23, 24 and 25 =				\$ 0.00	
<input type="checkbox"/> Additional Fee for Specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
-100=	/50 =		x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	9 - 20 =	0	x \$50.00	\$ 0.00	
Independent Claims	1 - 3 =	0	x \$200.00	\$ 0.00	
Multiple Dependent Claim(s) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 0.00	
SUBTOTAL =				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (i)).				\$ 0.00	
Extension of Time fee in the amount of \$				\$ 0.00	
TOTAL NATIONAL FEE =				\$130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
TOTAL FEES ENCLOSED =				\$130.00	
10/14/2005 HIKAYPACH 00000122 10524420				Amount to be refunded	\$
01 FC:1617 130.00 0P				Charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 130.00 to cover the above fees is included.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.</p> <p>c. <input checked="" type="checkbox"/> The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0089.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO CUSTOMER NO. 07055 AT THE PRESENT ADDRESS OF:</p> <p>Bruce H. Bernstein GREENBLUM & BERNSTEIN, P.L.C. 1950 Roland Clark Place Reston, VA 20191 (703) 716-1191</p> <p>Arnold Turk Reg. No. 39,094</p> <p>_____ SIGNATURE</p> <p>Bruce H. Bernstein NAME</p> <p>29.027 REGISTRATION NUMBER</p>					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Reiko KAWAMURA et al. **Mail Stop PCT**

PCT Branch

Appl. No: : 10/524,420
(National Stage of PCT/JP03/10440)

I. A. Filed : August 19, 2003

For : SOFT CAPSULE PREPARATION

COVER LETTER

Mail Stop PCT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop PCT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

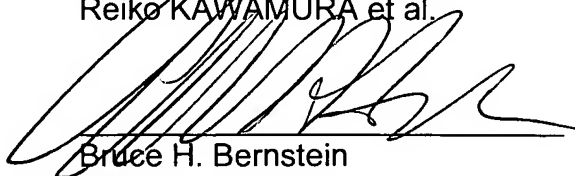
In order to comply with the requirements (copy enclosed) for the submission of an executed Declaration set forth in the Notification mailed September 20, 2005 which sets a two-month period of response until November 21, 2005 (November 20, 2005 being a Sunday), Applicants hereby submit:

- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- an executed Declaration and Power of Attorney; and
- a check in the amount of \$130.00 to cover the surcharge for late filing of the Declaration.

The U.S. Patent and Trademark Office is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below-listed number.

Respectfully submitted,
Reiko KAWAMURA et al.



Bruce H. Bernstein
Reg. No. 29,027

Arnold Turk
Reg. No. 33,094

October 7, 2005
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,420	Reiko Kawamura	P26669

INTERNATIONAL APPLICATION NO.

PCT/JP03/10440

I.A. FILING DATE	PRIORITY DATE
08/19/2003	08/20/2002

7055
 GREENBLUM & BERNSTEIN, P.L.C.
 1950 ROLAND CLARKE PLACE
 RESTON, VA 20191

RECEIVED

SEP 22 2005

GREENBLUM & BERNSTEIN PLC

CONFIRMATION NO. 6272**371 FORMALITIES LETTER**

OC000000017045996

Date Mailed: 09/20/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/14/2005
- Copy of the International Search Report filed on 02/14/2005
- Copy of IPE Report filed on 02/14/2005
- Preliminary Amendments filed on 02/14/2005
- Information Disclosure Statements filed on 02/14/2005
- Oath or Declaration filed on 02/14/2005
- Request for Immediate Examination filed on 02/14/2005
- U.S. Basic National Fees filed on 02/14/2005
- Priority Documents filed on 02/14/2005
- Specification filed on 02/14/2005
- Claims filed on 02/14/2005
- Abstracts filed on 02/14/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,420	PCT/JP03/10440	P26669